



# **PLANNING COMMISSION AGENDA REPORT**

*VII. 3.*

MEETING DATE: SEPTEMBER 11, 2006

ITEM NUMBER

**SUBJECT: FINAL MASTER PLAN PA-05-48 AND VESTING TENTATIVE TRACT MAP VT-17017  
FOR THE CALIFORNIAN AT TOWN CENTER AT 580 ANTON BOULEVARD**

**DATE: AUGUST 30, 2006**

**FOR FURTHER INFORMATION CONTACT: CLAIRE L. FLYNN, AICP, SENIOR PLANNER  
(714) 754-5278**

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## **DESCRIPTION**

The Californian at Town Center involves a Final Master Plan PA-05-48 for: (a) demolition of 21,349 sq.ft. of Lakes Pavilions Retail Center and (b) construction of a maximum of 250 residential high-rise units, inclusive of a four-level parking structure with 529 parking spaces, within two 25-story residential high-rises with additional 2,350 sq.ft. of ancillary retail at 580 Anton Boulevard in a PDR-HD zone. Approval of a Vesting Tentative Tract Map VT-17017 is also requested.

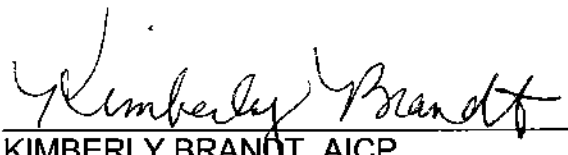
## **APPLICANT**

Tim O'Brien and Ben Ortega are authorized agents for the Fifield Companies.

## **RECOMMENDATION**

Recommend City Council approval of Final Master Plan PA-05-48 and VT-17017, which includes modification of existing landscape easements from 25 feet to 20 feet along Avenue of the Arts and from 25 feet to 15-20 feet along Anton Boulevard, by adoption of the attached Planning Commission resolution.

  
CLAIRE L. FLYNN, AICP  
Senior Planner

  
KIMBERLY BRANDT, AICP  
Principal Planner

## PLANNING APPLICATION SUMMARY

Location: 580 Anton Boulevard      Application Number: Final Master Plan PA-05-48 and VT-17017

Request: The Californian at Town Center

### SUBJECT PROPERTY:

### SURROUNDING PROPERTY:

Zone: PDR-HD	North: The Lakes Apartments and Wyndham Hotel
General Plan: High Density Residential	South: South Coast Metro Center
Lot Dimensions: Irregular	East: Sakioka Lot 1 (future Irvine Apartment Community)
Lot Area: 87,115 sq.ft. (about 2 acres)	West: South Coast Plaza Town Center
Existing Development: Existing Lakes Pavilions Retail Center	

## DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Zoning Code or NCMSP Requirement</u>	<u>Proposed Project</u>
General Plan – High Density Res.	20 du/ac	125 du/ac
Zone – PDR-HD	1 du per 2,178 sf = 20 dwelling units	1 du per 348 sf = 125 dwelling units <sup>1</sup>
Lot Size – Development Lot		
Lot Width	100 ft.	Irregular
Lot Area	12,000 sf	87,115 sq.ft.
Site Coverage – Overall Project:		
Buildings	Not Applicable	Not Applicable
Perimeter Open Space	20' abutting Public ROW	20' abutting Public ROW <sup>2</sup>
Open Space	42% of total site area at grade  OR as allowed by NCMSP <sup>4</sup>	30% of total site area at grade; <sup>4</sup>  minimum 42% of total site area if landscaped podium and private pool/deck/and walkways are included.
Min. private open space patio/balcony	min. 5' dimension / min. 100 sf	min. 5' dimension / min. 100 sf
Setbacks for Development Lot		
Front (Anton Boulevard)	20'	20' abutting Public ROW <sup>2</sup>
Side (Ave of Arts on left side)	20'	20'
Side (Interior PL on right side)	None required	30'
Rear (interior)	None required	0'
Building Height	110' AGL	Approx. 25 stories/280' AGL
Parking: <sup>3</sup>		
Tenant	1.5 to 2.0 spaces per unit	1.8 spaces per unit: 450 spaces
Guest	0.5 spaces per unit with credit of 0.25 spaces per unit above 50 units = 75 spaces	75 spaces
TOTAL	Min. 525 spaces	525 spaces
Driveway Width:	Min. 16 ft.	> 16 ft. wide

<sup>1</sup> Site-specific density requires General Plan and North Costa Mesa Specific Plan Amendments;

<sup>2</sup> Final Master Plan approval will also include modification of existing landscape easements from 25 feet to 20 feet along Avenue of the Arts and from 25 feet to 15-20 feet along Anton Boulevard. A 5-foot encroachment into the perimeter open space of an exterior staircase for the east tower is proposed.

<sup>3</sup> North Costa Mesa Specific Plan, as amended, allows approval of compact and tandem parking spaces.

<sup>4</sup> North Costa Mesa Specific Plan, as amended, allows inclusion of above-ground common recreational areas in open space calculation.

CEQA STATUS: Final Program EIR No. 1052

FINAL ACTION: City Council

## **BACKGROUND**

In December, 2005, five developers in the South Coast Plaza Town Center and South Coast Metro area collectively submitted applications for high-rise residential projects. On August 14, 2006, the Planning Commission held its first public hearing to receive public comments on the Draft Program EIR.

The required amendments to the City's General Plan, Zoning Code, and North Costa Mesa Specific Plan are discussed in a separate staff report. This staff report provides discussion/analysis on the proposed Final Master Plan for The Californian at Town Center.

## **ANALYSIS**

### ***Project Location***

The project site at 580 Anton Boulevard is currently developed with The Lakes Pavilions comprised of 7,709 square feet of retail and 13,640 square feet of quality sit-down restaurants, for a total of 21,349 commercial square feet. The Wyndham Hotel is located to the north, the Marriot to the east, and the Lakes Apartments to the north/northeast.

### ***Final Master Plan***

The North Costa Mesa Specific Plan requires approval of a final master plan prior to development in the Specific Plan area. With exception to The Californian at Town Center which involves a Final Master Plan, the North Costa Mesa High-Rise Residential Projects feature a Preliminary Master Plan. While Preliminary Master Plans provide a general description of a proposed development, a Final Master Plan provides specific details regarding the site plan, floor plans, elevations, parking supply, landscape plan, architecture, on-site amenities, and vehicle/pedestrian circulation.

The Final Master plan review allows consideration of the structures' scale, site planning, landscaping, and appearance, with the goal of promoting design excellence while giving consideration to the project's compatibility with existing uses and consistency with the North Costa Mesa Specific Plan. The site plan, floor plans, elevation drawings, and landscape concept plan are attached (Attachment 2, Exhibit "D" of PC Resolution). Table 1 below summarizes the proposed project.

Table 1 – The Californian at Town Center

Project Location	Property Owner	Authorized Agent
580 Anton Boulevard	Roger and Barbara Allensworth	Tim O'Brien/Ben Ortega The Fifield Companies 2010 Main Street, Suite 610 Irvine, CA 92614
Existing unbuilt entitlement	None	
Existing uses to be demolished	21,349 sq.ft. of retail uses	
Proposed development	250 residential units within two 25-story residential high rises plus 2,350 sq.ft. of resident serving retail uses	
Maximum building height	280 feet above ground level (AGL)	
Net increase in trips*:	+98 trips am peak hour <u>+17 trips pm peak hour</u> + 45 trips ADT	
Net decrease in commercial square footage*:	-18,999 sq.ft. of commercial	
Net increase in residential units*:	+250 owner-occupied dwelling units	

\*Net increase refers to comparison of proposed project to General Plan build-out conditions.

The following analysis provides analysis of the proposed project:

- Building height and scale is appropriate for the City's urban center.** The Californian at Town Center features two towers (west and east tower) at a maximum building height of 280 AGL and approximately 25 stories. The current height limit in this Specific Plan Area is 110 feet. The proposed building height is consistent with the scale of existing structures in North Costa Mesa. The Plaza Tower at the northwest corner of Avenue of the Arts/Anton Boulevard is 283 feet, and the Center Tower is 274 feet. This area is considered the City's urban center; therefore, high-rise residential structures of this height and scale are compatible with this area. The NCMSP is proposed to be amended to reflect a maximum height limit of 280' at the Lakes.
- Overall architectural design and building materials promotes design excellence.** The Californian at Town Center is designed by the world-renowned firm of Keating Khang Architects. The contemporary-style building is an inspired replication of The Californian high-rise residential building in Los Angeles. As shown in the full-color architectural rendering, proposed building materials will include pre-cast concrete panels, custom etched glass, and variable stone surfaces. The high-rise will also consist of the finest building materials including laminated clear glass, spandrel glass, monolithic glass guard rails, pre-cast concrete panels, and coated aluminum. The two towers also feature an exterior staircase with a textured surface.
- Site Plan considers compatibility with abutting commercial and residential properties.** The contemporary architecture and steel/glass/stone construction would complement the Plaza Tower, Marriott Hotel, and Wyndham Hotel, as well as other existing buildings in the South Coast Plaza/South Coast Metro area. Final Program EIR No. 1052 includes an aesthetic analysis to examine the shade/shadow impacts of the proposed towers on The Lakes Apartments and concluded that no significant impacts would result from project implementation. In the worst-case scenario for the summer and winter solstice, the proposed project would result in one hour of shade/shadow on The Lakes Apartments

within the significance threshold (10:00 a.m. to 3:00 p.m.) during the Winter Solstice (December 21), and this impact did not exceed the two-hour significance threshold for shade/shadow impacts. (Please refer to the aesthetics section of the Final Program EIR for more information).

- Site Plan maximizes view of the lake. The Californian at Town Center takes advantage of the view of the lake. The north side of the proposed towers will feature private balconies for the new residents, and these will be staggered along the building elevation for privacy purposes. Neighboring balconies would not have a direct view to their next door neighbor if both are enjoying the balconies at the same time. Furthermore, the proposed Symphony Towers buildings were reasonably sited to maximize the view gateway of the Lakes between the two towers at the Californian at Town Center instead of being completely blocked by the two towers.
- Proposed parking complies with NCMSP standards, as amended. The NCMSP, as amended, requires that tenant parking supply be provided in the range of 1.5 to 2.0 parking spaces per unit and that guest parking be provided at 0.5 spaces per unit with a 0.25 credit for units above 50. The 450 proposed tenant parking spaces (1.8 tenant spaces per unit) and 75 guest parking spaces complies with this requirement. In addition, the NCMSP, as amended, allows tandem and compact parking spaces. The tandem parking spaces will primarily be offered to the larger units and/or offered together to a single tenant and not shared between two different tenants to minimize complications with the use of tandem parking stalls. A condition requires that a pair of tandem parking stalls be offered to occupants of a single unit. The table below is a parking summary.

580 Anton Parking Matrix						
Required Parking and Parking Management Matrix						
Unit Type	Description	#Units	Total Area	Avg. Area	Ratio	Parking Spaces
Type A	1BR/1.5BA	55	57,137	1039	1.80	99
Type B.1	2BR/2.5BA	118	163,905	1389	1.80	212
Type B.2	2BR/2.5BA	49	97,096	1982	1.80	88
Type C	3BR/3.5BA	22	44,783	2036	1.80	40
Type PH	3BR/2.5BA/D	6	15,648	2608	1.80	11
Guest	in structure	250				75
Total Parking Required						525
Total Parking						525
<b>Notes:</b>						
<b>Costa Mesa Parking Standards, NCMSP</b>						
unit type	tenant	open	total			
1 bedroom	1	0.5	1.5			
2 bedroom	1	0.8	1.8			
3 bedroom	1	1	2			
(1) visitor space calculation: .5 spaces for first 50 units, .25 spaces for the remaining 200 units = 75 spaces						
(2) ADA required parking: 2% of total parking provided to be accessible = 10.3 spaces						

- Landscape Concept Plan features diverse plant palette and water features.* The Landscape Concept Plan is generally consistent with the City's landscape standards for high-density residential development. The Concept Plan features a grouping of trees along Anton Boulevard and landscape screening of the parking structure along Avenue of the Arts. A series of low reflecting pools beginning at the southwest corner of the property are intended to create a visual wateline to the lake. Staff will work with the developer to select tree species that would be consistent with the overall landscape theme of the South Coast Metro area and also complement the palette featured in the new Avenue of the Arts traffic circle. A condition of approval addresses this issue.
- On-site recreational amenities comply with NCMSP standards.* The project will include a rooftop view deck on the eastern and western towers. If the rooftop decks were considered a story, this would be the 26<sup>th</sup> story of the building. Another amenity deck will include a community pool and a spa located on the fifth tier of the parking structure. The deck will include chaise lounges and other patio furniture surrounding the pool. Each tower will include a community room that could be used for events such as homeowner association meetings. A gym will be provided, and while the final placement has not yet been determined, it is likely that the gym would be located on the ground floor overlooking the lake.
- Reduction of landscape easements by five to ten feet.* A 25-foot landscaped easement currently exists along Anton Boulevard and Avenue of the Arts. Similar to the recently-approved Irvine Apartment Communities project on Sakioka Lot 1, the applicant is requesting a five-foot reduction in the landscape easement from 25 feet to 20 feet on Avenue of the Arts and Anton Boulevard. Additionally, on a portion of Anton Boulevard, the easement is proposed reduced to 15 feet to accommodate an exterior staircase for the east tower. The 20-foot landscape easements on Avenue of the Arts and 15-20 foot landscape easement on Anton Boulevard shall be reflected on the final map. A 20-foot easement would still accommodate the 13-foot wide combination bikepath/sidewalk required along the north side of Anton Boulevard. A condition of approval requires that the 20-foot easement along both Avenue of the Arts and Anton Boulevard exclude all structures except for items such as tree wells, tables/chairs, exterior staircase, and light-box monuments. A maintenance agreement is also required as a condition of approval ensuring that the property owner maintains the landscaping and all improvements within this easement at their own cost. Planning Commission should forward a specific recommendation to Council regarding the reduction of the width of the landscape easements.
- Pedestrian linkages to the lake are to be maintained.* Pedestrian access will be provided through sidewalks on Avenue of the Arts and Anton Boulevard. Pedestrian linkages between the adjacent Wyndham Hotel and the Marriot Hotel will be improved as a part of the project. Signage will be provided in order to direct pedestrians between the sites.

- On-site Ancillary Retail Uses to serve pedestrian and high-rise residents. The approximately 2,350 square feet of walk-up retail shall consist of retail businesses with the primary purpose of supporting pedestrians and the on-site residential community rather than drive-by customers. Permitted walk-up retail uses include, but are not limited to, periodical stand/kiosk, café, sandwich shop, juice bar, wireless internet café, neighborhood drycleaner, or other similar uses as deemed appropriate by the Development Services Director. Parking for employees shall be provided on the upper decks (Levels P2-P4) of the parking structure. A minimum of four parking spaces shall be provided for employee parking.

#### ***FAA No Hazard Determination***

The City has submitted a referral application to the Airport Land Use Commission (ALUC) for the North Costa Mesa High-Rise Residential Projects. The ALUC is requested to find the proposed project consistent with the Airport Environs Land Use Plan (AELUP). The FAA No Hazard Determination on this project is pending. This determination is tentatively expected prior to the September 21, 2006 ALUC meeting.

The City requests that the ALUC's finding of consistency with the Airport Environs Land Use Plan (AELUP) is made contingent upon receipt of a No Hazard Determination for the proposed structure(s). The City's policy is to prohibit construction of buildings which would present a hazard to air navigation as determined by the FAA, or independent studies by qualified private consultants that have been certified by the FAA as true and correct. The No Hazard Determination must be obtained prior to City Council's approval of the final master plan, and also be current and valid prior to issuance of building permits for proposed structures. A condition of approval reflects this requirement.

#### ***Consistency with General Plan, NCMSP, and Zoning Code***

General Plan Amendment GP-06-02 and Zoning Code Amendment CO-06-05 were required to allow high-rise residential development in the High Density Residential Land Use designation/PDR-HD zoning district and to specify exterior noise standards for certain outdoor common recreational amenity areas of a high-rise residential development. The proposed project conforms with the General Plan and Zoning Code, as amended. The final master plan established a high-rise residential development option that complies with total number of residential units and non-residential building square footage, identified for this sub-area in Area 5 of the North Costa Mesa Specific Plan, as amended per SP-06-02.

#### ***Vesting Tentative Tract Map VT-17017***

As shown in the proposed tentative tract map (Exhibit "D" of PC Resolution), the proposed subdivision is a one-lot subdivision for residential condominium purposes. A vesting tentative tract map shows a 15 to 20-foot wide landscape easement dedicated to the City of Costa Mesa along Avenue of the Arts and Anton Boulevard.

Approval of the vesting map allows the project to continue to be subject to the development standards and City fees in place at the time the map was deemed complete, even if standards later become more restrictive or City fees are increased.

## **ENVIRONMENTAL DETERMINATION**

The California Environmental Quality Act (CEQA) requires a Program EIR be prepared for the proposed project. Final Program EIR No. 1052 was prepared in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines. Due to the geographic proximity of these projects, the City elected to prepare a Program EIR for all five sites to ensure comprehensive consideration of the cumulative impacts of the project, rather than a project-specific EIR for each individual project.

Program EIR No. 1052 contains project-specific environmental analysis for Site 3, The Californian at Town Center. If this project were approved, no supplemental environmental documentation will be required for this project.

Other than air quality impacts and cumulative impacts to library services, all other environmental impacts (i.e. traffic, noise, land use, housing/population, public services) are mitigated to below a level of significance. A Statement of Facts and Findings and Statement of Overriding Considerations (contained in the General Plan Resolution of a separate staff report) provide justification for approval of the proposed project despite unmitigable, significant impacts to air quality and library services. The Mitigation Monitoring Program is provided as Exhibit "C" of the Planning Commission resolution.

## **ALTERNATIVES CONSIDERED**

Planning Commission may make the following recommendations to City Council:

1. Approve Final Master Plan PA-04-58/VT-17017 subject to conditions.
2. Deny Final Master Plan PA-04-58/VT-17017.

## **CONCLUSION**

The developer is proposing a 250-unit high-rise residential development, with limited ancillary retail of 2,350 square feet, which would contribute a unique type of upscale, ownership housing type to the City's housing stock. The project will feature world-class architecture and quality building materials to reinforce the contemporary urban image of this cultural arts center. Planning Commission approval of a final master plan and a vesting tentative tract map is required. Final Program EIR. No. 1052 concludes that environmental impacts could be mitigated to below a level of significance with the exception of air quality and library services impacts. Staff recommends approval of the proposed project due to conformance with the General Plan, Zoning Code, and North Costa Mesa Specific Plan as amended.

### **Attachments:**

1. Vicinity Map
2. Planning Commission Resolution  
Exhibit "D" contains Site Plan, Floor Plans, Landscape Plan, Elevation Drawings, and Vesting Tentative Tract Map
3. Final EIR No. 1052 (provided under separate cover)

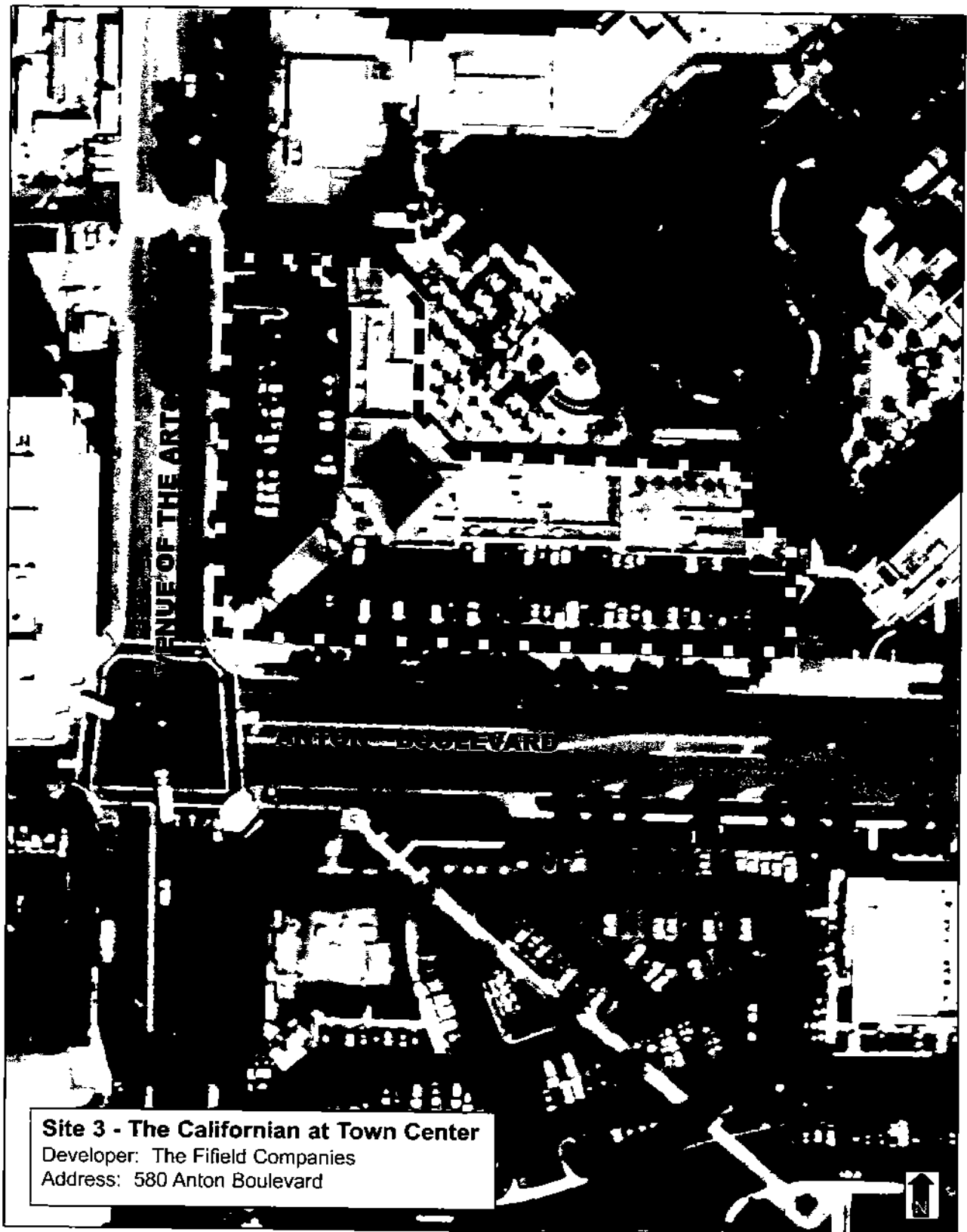


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Anaheim, CA 92807

File: 091106PA0548/VT17017	Date: 083106	Time: 9: 15 a.m.
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**Site 3 - The Californian at Town Center**  
Developer: The Fifeild Companies  
Address: 580 Anton Boulevard

- Site 3 - The Californian at Town Center

**RESOLUTION NO. PC-06-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FINAL MASTER PLAN PA-05-48 AND VESTING TENTATIVE TRACT MAP VT-17017 FOR THE CALIFORNIAN AT TOWN CENTER AT 580 ANTON BOULEVARD IN A PDR-HD ZONE.**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, an application was filed by South Coast Plaza requesting City Council approval of Preliminary Master Plan PA-05-48/Vesting Tentative Tract Map VT-17017 for The Californian at Town Center in Area 5, The Lakes, of the North Costa Mesa Specific Plan;

WHEREAS, The Californian at Town Center involves a Final Master Plan PA-05-48 and Vesting Tentative Tract Map VT-17017 for: (a) demolition of 21,349 sq.ft. of Lakes Pavilions Retail Center and (b) construction of a maximum of 250 residential high-rise units and 525 parking spaces within two 25-story residential high-rises with additional 2,350 sq.ft. of ancillary retail at 580 Anton Boulevard in a PDR-HD zone. Final Master Plan PA-05-48 is contained in Exhibit "D" of this resolution;

WHEREAS, General Plan Amendment GP-06-02 and Zoning Code Amendment CO-06-05 were required to allow high-rise residential development in the High Density Residential Land Use designation/PDR-HD zoning district and to specify exterior noise standards for certain outdoor common recreational amenity areas of a high-rise residential development. The proposed project conforms with the General Plan and Zoning Code, as recommended to be amended;

WHEREAS, the final master plan established a high-rise residential development option that complies with total number of residential units and non-residential building square footage identified for this sub-area in Area 5 of the North Costa Mesa Specific Plan, as recommended to be amended per SP-06-02;

WHEREAS, the proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and Final Program EIR No. 1052 was prepared and available for public review from July 19, 2006 through September 1, 2006;

WHEREAS, duly noticed public hearings were held by the Planning Commission on August 14, 2006 and September 11, 2006 to allow for public comment on the proposed project and Final Program EIR and with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the Planning Commission has reviewed all environmental documents comprising the Final Program EIR and has found that the Final Program EIR considers all environmental impacts of the proposed project and a reasonable range of alternatives, and the Final Program EIR is complete and adequate and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, Final Program EIR No. 1052 constitutes project-specific environmental analysis for The Californian at Town Center project, and no additional environmental review is required prior to construction of the high-rise residential towers;

WHEREAS, the Planning Commission recommended that City Council certify Final Program EIR No. 1052, approve General Plan Amendment GP-06-02, Zoning Code Amendment CO-06-05, and North Costa Mesa Specific Plan Amendment SP-06-02, by separate resolutions;

WHEREAS, the Planning Commission also considered and found that the benefits of the North Costa Mesa High Rise Residential project outweigh the unavoidable adverse impacts that remain after mitigation and, recommended Council adoption of General Plan Amendment GP-06-02, including Statements of Facts and Findings and Overriding Considerations, by separate resolution;

NOW, THEREFORE, BE IT RESOLVED that based on the evidence in the record, the findings contained in Exhibit "A", and subject to conditions of approvals/mitigation measures indicated in the Mitigation Monitoring Program contained in Exhibits "B" and "C", the Planning Commission hereby recommends City Council **APPROVE** Final Master Plan PA-05-48 and Vesting Tentative Tract Map VT-17017 (Exhibit "D") with respect to the property described above.

BE IT FURTHER RESOLVED that the Planning Commission recommends that City Council approve a five foot reduction in the landscape easements along the north side of Anton Boulevard and east side of Avenue of the Arts within the project limits from 25 feet to 20 feet and allow specific structures and items to be located in the landscape easement, as described in conditions of approval for the proposed project. Additionally, on Anton Boulevard the Planning Commission recommends that the landscape easement be reduced to 15 feet to accommodate an exterior staircase for the east tower;

BE IT FURTHER RESOLVED that the Planning Commission finds and determines that its recommendation for the final approval of Preliminary Master Plan PA-05-53/VT-17017 is expressly predicated upon City Council approval of General Plan Amendment GP-06-02, Zoning Code Amendment CO-06-05, and Specific Plan Amendment SP-06-02, and upon applicants' compliance with each and all conditions of approvals/mitigation measures indicated in Exhibit "B" and in the Mitigation Monitoring Program contained in Exhibit "C".

PASSED AND ADOPTED this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2006

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Bill Perkins

Chair, Planning Commission

STATE OF CALIFORNIA   )  
  )ss  
COUNTY OF ORANGE    )

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on \_\_\_\_\_, 2006, by the following votes:

AYES:       COMMISSIONERS

NOES:       COMMISSIONERS

ABSENT:     COMMISSIONERS

ABSTAIN:    COMMISSIONERS

\_\_\_\_\_  
R. Michael Robinson  
Secretary, Costa Mesa Planning Commission

## EXHIBIT "A"

### FINDINGS

- A. Final Master Plan PA-05-48 meets the broader goals of the 2000 General Plan, as amended, North Costa Mesa Specific Plan, as amended, and Zoning Code, as amended, by exhibiting excellence in design, site planning, integration of uses and structures, and protection of the integrity of neighboring development. The proposed project would create a unique housing type and will be the first of this kind of housing type in Costa Mesa. The new buildings will feature world-class architecture designed by renown architects, and the high-rise residential structure) will complement the cultural and entertainment arts center uses at South Coast Plaza Town Center. The proposed project would meet the housing needs of the high-income segments of the community at a level no greater than which can be supported by planned infrastructure improvements.
- B. The creation of the subdivision and related improvements is consistent with the General Plan, as amended per GP-06-02, North Costa Mesa Specific Plan, as amended per SP-06-02, and Zoning Code, as amended per CO-06-05.
- C. The proposed residential use of the subdivision is compatible with the General Plan. The approval of the subdivision will allow home ownership opportunities without impacting rental housing. This is consistent with the goals, objectives, and policies of the General Plan Land Use and Housing Element.
- D. The subject property is physically suitable to accommodate Vesting Tentative Tract Map VT-17017 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- E. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- F. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.
- G. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- H. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. Final Program Environmental Impact Report (EIR) #1052 was

prepared for the final master plan, pursuant to the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, mitigation measures have been included as conditions of approval that reduce impacts to the fullest extent reasonable and practicable.

- I. Mitigation Measures from Final Program EIR #1052 have been included as conditions of approval. If any of these conditions are removed, the City Council must make a finding that the project will not result in significant environmental impacts, that the condition(s) are within the responsibility and jurisdiction of another public agency, or that specific economic, social, or other considerations make the mitigation measures infeasible.
- J. The findings with respect to the environmental effects of the project are in the document, "CEQA Statements of Findings, Facts and Overriding Consideration for the North Costa Mesa High Rise Residential Projects", attached to the Planning Commission resolution for the General Plan Amendment GP-06-02.
- K. The evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse effect on wildlife resources or habitat. The project site consists of ornamental, non-native vegetation and does not contain, nor is in proximity to, any sensitive habitat areas.
- L. The project, as conditioned, is consistent with Article 22 1/2 Transportation System Management of Title 13 of the Municipal Code in that the development projects' traffic impacts will be mitigated at all affected intersections.
- M. The project has been reviewed for conformity with the Orange County Congestion Management Program (CMP) requirements and the additional traffic generated by the project does not cause the CMP highway system to exceed LOS "E".
- H. The proposed high-rise residential buildings as conditioned shall include the City of Costa Mesa's building and fire safety standards for high-rise residential development.
- I. The proposed high-rise residential structure has been submitted for review by the Federal Aviation Administration (FAA). The project shall be constructed in accordance with the FAA Determination of No Hazard or in accordance with a similar finding in an independent study by a qualified private consultant that has been certified by the FAA stating that the project presents no hazard to flight operations at John Wayne Airport.



## **EXHIBIT "B"**

### **CONDITIONS OF APPROVAL**

- Plng.
1. The approval of Final Master Plan PA-05-48/VT-17017 is contingent upon City Council's final approval of the General Plan Amendment GP-06-02, North Costa Mesa Specific Plan Amendment SP-06-02, and Zoning Code Amendment CO-06-05, and approval of Final Master Plan PA-05-48/VT-17017 shall not become effective until all other discretionary approvals are final and become effective.
  2. Final Master Plan PA-05-48/VT-17017 shall comply with the conditions of approval, code requirements, and mitigation measures of Final Program EIR No. 1052 for this project and as listed in the attached Mitigation Monitoring Program (Exhibit "C").
  3. Mitigation Measures from Final Program EIR #1052 have been included as conditions of approval. If any of these conditions are removed, the City Council must make a finding that the project will not result in significant environmental impacts, that the condition(s) are within the responsibility and jurisdiction of another public agency, or that specific economic, social, or other considerations make the mitigation measures infeasible.
  4. The conditions of approval and code requirements for PA-05-48/VT-17017 shall be blueprinted on the page following or containing the site plan.
  5. Prior to issuance of building permits, the developer shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office. The CC&Rs shall contain provisions that effectively implement the following requirements: (1) require that the homeowner's association (HOA) provide for valet parking in the P1 (subterranean level) of the parking structure if the City determines that there is a need valet parking in the future; (2) require that the HOA contract with a towing service to enforce the parking regulations; (3) require that the HOA prohibit any clothing, beach towels, flags, banners, textiles, or any other items deemed as visual clutter to be hung from private balconies; (4) Any subsequent revisions to the CC&Rs related to these provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.
  6. A pair(s) of tandem parking stalls of the development shall be assigned exclusively to the occupant(s) of a single unit and not be shared between occupants of different units. Developer shall indicate on the final parking management plan how the tandem parking shall be assigned. The parking management plan shall be approved prior to

issuance of building permits.

7. The light boxes/monument display cases proposed in the 20-foot landscape easement along Avenue of the Arts and Anton Boulevard shall contain artwork, sculptures, or other exhibits of artistic significance. The light boxes shall expressly not serve as signage, and the specific location of the light boxes shall be subject to the approval of the Development Services Director prior to issuance of a building permit.
8. The FAA No Hazard Determination, or similar finding in an independent study by a qualified private consultant that has been certified by the FAA, stating that the project presents no hazard to flight operations at John Wayne Airport shall be required prior to final master plan approval by City Council. Additionally, the No Hazard Determination shall be current and valid at the time of issuance of a building permit. Any modifications to the building, including but not limited to, the building height or appurtenances, shall be made in order to obtain a No Hazard Determination.
9. If approved, the final map submitted to City Council shall be revised to show a reduction of the landscape easement along the north side of Anton Boulevard within the project limits from 25 feet to 15-20 feet. This landscape easement shall be reduced to 20 feet along Anton Boulevard and also down to 15 feet around the area of exterior staircase of the east tower. The final map shall also show a reduction to the landscape easement along the east side of Avenue of the Arts within the project limits from 25 feet to 20 feet. The site plan submitted for building plan check shall show the reductions, if approved.
10. Prior to approval of the final map, developer shall submit a site plan showing the location of a meandering 13-foot wide sidewalk/bike trail along the east side of Avenue of the Arts and north side of Anton Boulevard. The following items may be located within the landscape easement subject to the approval of the Transportation Services Manager and Development Services Director: light boxes (lighted sculptures/monument display cases), concrete walkways and steps, metal handrails, water features, landscape/area lighting, accessible concrete ramp, 18" to 24" raised planters, site furnishings (tables and chairs), tree wells with metal grates, east tower exterior staircase, and any other similar minor structures.
11. The approximately 2,350 square feet of walk-up retail shall consist of retail businesses with the primary purpose of supporting pedestrians and the on-site residential community rather than drive-by customers. Permitted walk-up retail uses include, but are not limited to, periodical stand/kiosk, café, sandwich shop, juice bar, wireless internet café, neighborhood drycleaner, or other similar uses as deemed appropriate by the Development Services Director. Prior to issuance of a certificate of occupancy, developer shall provide a matrix of permitted walk-up retail uses to be approved by the Development Services Director.

12. Prior to issuance of a building permit, on-site designated parking spaces for employees of the ancillary retail uses shall be provided to the satisfaction of the Development Services Director. No on-site parking spaces shall be reserved for customers.
13. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to residential communities through specified measures, such as construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes.
14. Developer shall submit a signed and completed Maintenance Agreement to the satisfaction of the Development Services Director and City Attorney's office requiring the developer to be 100% responsible for maintenance of the 20-foot landscape easement and parkway area along Avenue of the Arts and Anton Boulevard within the project boundaries.
15. The final map shall show easements or other provisions for the placement of centralized mail delivery units, if applicable. Specific locations for such units shall be to the satisfaction of the Planning Division, Engineering Division, and the US Postal Service.
16. Prior to issuance of building permits, developer shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
17. The range of primary street addresses shall be displayed on a complex identification sign visible from the street. Street address numerals shall be a minimum 12 inches in height with not less than 3/4-inch stroke and shall contrast sharply with the background.
18. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
19. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official and City Engineer prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of the subject property shall preserve or improve the existing pattern of drainage on abutting properties.
20. Street trees in the landscape parkway shall be selected from Appendix D of the Streetscape and Median Development Standards and

- appropriately sized and spaced (e.g. 15-gallon size planted at 30' on centers), or as determined by the Development Services Director once the determination of parkway size is made. The final landscape concept plan shall indicate the design and material of these areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
21. Prior to submission of a final landscape plan, developer shall seek approval from the Parks and Recreation Commission for the removal of any trees within the public right-of-way. Commission will require that the City be compensated for the loss of street trees in the public right-of-way. Any conditions imposed by the Parks and Recreation Commission shall be identified on the final landscape plan. The developer is advised that the approval process may take up to three months; therefore, it is advised to identify any affected trees and make a timely application to the Parks and Recreation Commission to avoid possible delays.
  22. Replacement trees shall be of a size consistent with trees to be removed, and shall be replaced on a 1-to-1 basis. This condition shall be completed under the direction of the Planning Division.
  23. Prior to submission of a final landscape plan, developer shall ensure that the landscape palette is coordinated with the proposed landscaping for the Avenue of the Arts traffic circle.
  24. There shall be no signage on the high-rise residential towers located above the second floor of the buildings. Building wall signage shall be limited to identification of the residential development or walk-up retail businesses.
  25. The developer shall contact the current cable service provider prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
  26. The developer shall contact the Planning Division to arrange for an inspection of the site prior to the final inspections. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
  27. Nighttime lighting shall be minimized to provide adequate security and creative illumination of building, sculptures, fountains, artworks, and light boxes/monument display cases to the satisfaction of the Development Services Director. Any lighting under the control of the developer shall be directed in such a manner so as to not unreasonably interfere with the quiet enjoyment of nearby residences.
  28. High-rise residential structures shall use low reflective glass and building materials to minimize daytime glare to the fullest extent possible.
  29. Developer shall submit complete plans for different floor plan models.
  30. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). With the exception of back-flow prevention devices, ground-mounted equipment shall not be located in any landscaped setback visible from the street and shall be screened from view, under

- the direction of Planning Staff.
- Eng. 31. Developer shall maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
32. Developer shall comply with any conditions of approval as indicated in the City Engineer's letter (attached).
- Trans. 33. Developer shall construct wide flare or radius curb drive approaches at locations identified on site plan. Developer shall comply with minimum clearance requirements from property lines and any vertical obstructions.
34. Developer shall design new entry drive on Anton Boulevard to include on-site median and curb flares to denote right turns in and out only, and Developer shall also include provisions within the driveway median for a pedestrian crosswalk.
35. Developer shall relocate/remove affected utilities and parkway trees on Anton Boulevard and Avenue of the Arts to accommodate new driveway approach.
36. Prior to issuance of building permits for the parking structure, developer shall submit a final parking management plan denoting (1) method of allocation of assigned parking; (2) location of visitor parking including appropriate signage; (3) location of security gates and how these gates will be operated; (4) Location of employee parking.
37. Developer shall incorporate any recommendations made by the Transportation Services Manager that may address design of underground parking area to enhance internal traffic circulation between Anton Boulevard and Avenue of the Arts.
- Fire 38. Developer shall comply with the City of Costa Mesa's Building and Fire Safety Standards for High-Rise Residential Development to the satisfaction of the Building Official and Fire Chief. These standards are contained in a publication issued by the City, previously provided to the developer. Contact the Planning Division at (714-754-5278) for additional copies of this publication.
- Police 39. Developer shall work with the Police Department in implementing security recommendations to the maximum extent feasible. For example, developer shall provide 24-hour on-site private security for the proposed project, install an on-site video surveillance system that will be monitored by on-site security personnel, and install a controlled access system for all pedestrian and automobile access. A list of security recommendations is provided to the developer.



# CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

July 18, 2006

Costa Mesa Planning Commission  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626

SUBJECT: Vesting Tentative Tract No. 17017  
LOCATION: 580 Anton Boulevard

Dear Commissioners:

Vesting Tentative Tract Map No. 17017, as furnished by the Planning Division for review by the Public Services Department, consists of a single lot subdivision for a 250 unit high-rise condominium development. Vesting Tentative Tract Map No. 17017 meets with the approval of the Public Services Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.
2. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. The map check fee shall be paid per C.C.M.M.C. Section 13-231.
3. In accordance with C.C.M.M.C. Section 13-230, the Subdivider shall submit street improvement plans and/or off-site plans at the time of first submittal of the Final Tract Map. The plan check fee shall be paid per C.C.M.M.C. Section 13-231.
4. The Final Tract Map and all off-site improvements required to be made, or installed by the Subdivider, shall meet the approval of the City Engineer. Prior to any on-site/off-site construction, permits shall be obtained from the City of Costa Mesa Engineering Division.
5. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to C.C.M.M.C. Section 13-232.
6. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.
7. The elevations shown on all plans shall be on Orange County benchmark datum.

8. The Subdivider shall submit a cash deposit of \$1,210 for street sweeping at the time of issuance of a Construction Access permit. The full amount of deposit shall be maintained on a monthly basis prior to and during construction until completion of project.
9. Off-site driveway approaches shall be installed and shall be constructed of P.C.C. per City of Costa Mesa, ADA, and Title 24 Standards. All off-site driveway locations and driveway design shall meet the approval of the City Engineer.
10. Off-site sidewalks shall be constructed of P.C.C. per City of Cost Mesa Standards. There shall be four feet of clear sidewalk behind all immovable objects, i.e., light standards, mail boxes, telephone poles, fire hydrants, etc.
11. The Subdivider's engineers shall furnish the Engineering Division with a storm runoff study analyzing existing and proposed facilities and the method of draining the subject area and tributary areas. The proposed facilities shall consist of the installation and/or upgrade of storm drain improvements per the Master Drainage Plan. This study shall be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur.
12. Ownership and maintenance of private on-site drainage facilities, parkway culverts, and common areas shall be transferred by the owner to the Homeowner Association (HOA) to be formed pursuant to C.C.M.M.C. Section 13-41 (e). Said HOA shall indemnify and hold harmless the City for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system.
13. Emergency outlets shall be provided at all sump locations. Emergency outlets shall be designed to convey the 100-year storm flow.
14. Vehicular and pedestrian access rights to Anton Boulevard and Avenue of the Arts shall be released and relinquished to the City of Costa Mesa except at approved access locations.
15. A Subdivision Agreement and deposit shall be submitted to the City Engineer to guarantee construction of off-site improvements. The cash deposit or surety bond amount shall be determined by the City Engineer.
16. Street lighting shall be provided as required by the Public Services Department, Transportation Services Division.
17. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.
18. Water system improvements shall meet the approval of Mesa Consolidated Water District; call (949) 631-1200 for information.
19. Coordinate and process the vacation of existing easements and dedicate new easements as needed.
20. Prior to occupancy, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, and approved off-site plan and nine copies of the recorded Tract Map.

21. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
22. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
23. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
24. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.

Sincerely,



Ernesto Munoz, P. E.  
City Engineer

/ch (Engr. 2006/Planning Commission Tract 17017)



**EXHIBIT "C"**

**Mitigation Monitoring Program**

North Costa Mesa High-Rise Residential Projects  
Mitigation Monitoring and Reporting Program

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City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92628

September, 2006

## **Mitigation Monitoring and Reporting Program North Costa Mesa High-Rise Residential Projects**

The North Costa Mesa High-Rise Residential Project generally involves demolition of existing structures, modification of unbuilt entitlements, and/or substitution of unbuilt entitlements for the construction of new high-rise residential structures collectively totaling 1,269 dwelling units with commercial/retail uses. Structures are proposed ranging from 280 to 315 feet above ground level. The project area includes five sites in an area north of the I-405 Freeway and generally bound by Sunflower Avenue to the north, Bristol Street to the west, Sakioka Drive to the east, and the I-405 Freeway to the south.

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation measures (MMs) adopted as conditions of approval in order to mitigate or avoid significant project impacts. Specifically, Section 21081.6(a)(1) states:

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

CEQA Guidelines §15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation.

The following Mitigation Monitoring and Reporting Program includes mitigation measures and conditions of approval from the Final Program Environmental Impact Report (PEIR) No. 1052 (SCH No. 2006011077) adopted by the Planning Commission on \_\_\_\_\_ and by the City Council on \_\_\_\_\_. An Initial Study/Notice of Preparation for the proposed project was prepared in January 2006. Mitigation measures have been incorporated by reference into the PEIR from the following previously approved documents:

- City of Costa Mesa General Plan Environmental Impact Report, SCH No. 2000031120, January 2002
- South Coast Plaza Town Center Environmental Impact Report No. 1047, SCH No. 2000041100, March 2001

Mitigation measures have been drafted to meet the requirements of *Public Resources Code* §21081.6 as fully enforceable monitoring programs. The Mitigation Monitoring and Reporting Program defines the following for each mitigation measure:

1. A time for performance. In each case, a time for performance of the mitigation measure, or review of evidence that mitigation has taken place, is provided. The performance points selected are designed to ensure that impact-related components of project implementation do not proceed without establishing that the mitigation is implemented or assured.
2. A responsible party for implementing the required mitigation is identified. In each case, unless where otherwise indicated (as in Mitigation Measures G-2 and T-1), the Developer is generally the Responsible Party for implementing the mitigation. The City will

monitor the performance and implementation of the mitigation measures. To guarantee that the mitigation measure will not be inadvertently overlooked the supervising public official is the official who grants the permit or authorization called for in the performance.

3. Definition of mitigation. In each case (except where a mitigation measure, such as a geotechnical report, is a well-known procedure or term of art), the mitigation measure contains the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.

#### Matrix Orientation

The following matrix lists all mitigation measures and conditions of approval from the Final PEIR referenced above. The matrix also identifies the applicable permit, the required timing, and responsible parties for both implementation and monitoring.

Conditions of Approval / Mitigation Measures			Timing	Responsible Party	Date Completed
<b>Aesthetics</b>					
<b>Conditions of Approval</b>					
<ul style="list-style-type: none"> <li>Architectural features and roofs shall be appropriately finished with non-reflective materials in order to reduce glare and reflection. Structures shall use low reflective glass and building materials to minimize daytime glare to the fullest extent possible. (Sites 1-5)</li> </ul>			Prior to issuance of certificate of occupancy	Developer	
<ul style="list-style-type: none"> <li>All exterior light standards and fixtures will be shielded to prevent light spill to further reduce potential impacts. (Sites 1-5)</li> </ul>			Prior to issuance of certificate of occupancy	Developer	
<ul style="list-style-type: none"> <li>The intensity and location of lights on buildings shall be limited to minimize nighttime light and glare to residents and shall be subject to the Development Services Director's approval. (Sites 1-5)</li> </ul>			Prior to issuance of certificate of occupancy	Developer	
<ul style="list-style-type: none"> <li>Prior to issuance of building permits, developer shall submit building plans for the proposed projects to be approved by the Costa Mesa Planning Division which incorporate the use of non-reflective building materials to minimize light and glare impacts. (Sites 1-5)</li> </ul>			Prior to issuance of building permits	Developer	
<ul style="list-style-type: none"> <li>Prior to issuance of buildings permits, developer shall submit an electrical engineer's photometric survey to be approved by the Costa Mesa Planning Division to assure that minimum security lighting requirements are met and to minimize light and glare to residents. (Sites 1-5)</li> </ul>			Prior to issuance of building permits	Developer	
<ul style="list-style-type: none"> <li>The Lighting Plan shall demonstrate compliance with the following: (1) All site lighting fixtures shall be provided with a flat glass lens; (2) Photometric calculations shall indicate the effect of the flat glass lens fixture efficiency; (3) Lighting design and layout shall limit spill light to no more than 0.5 foot-candle at the property line of the surrounding neighbors, consistent with the level of lighting that is determined necessary for safety and security purposes on site. (Sites 1-5)</li> </ul>			Prior to issuance of building permits	Developer	
<ul style="list-style-type: none"> <li>Prior to the issuance of building permits, developer shall submit a Final Landscape Plan, consistent with the City's landscape standards, for each development component to be approved by the Costa Mesa Planning Division. (Sites 1, 2, 4, and 5)</li> </ul>			Prior to issuance of building permits	Developer	
<b>Mitigation Measures</b>					
No mitigation measures are required.					
<b>Air Quality</b>					
<b>Conditions of Approval</b>					
<ul style="list-style-type: none"> <li>SCAQMD Rule 403 shall be adhered to, insuring the clean up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile, or disturbed surface area beyond the property line of the emission source. Particulate matter deposits on public roadways are also prohibited. (Sites 1-5)</li> </ul>			During all construction phases	Developer	
<ul style="list-style-type: none"> <li>Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particles. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day. (Sites 1-5)</li> </ul>			During all construction phases	Developer	
<ul style="list-style-type: none"> <li>Grading operations shall either be suspended or involve heavy watering during first and second stage ozone episodes or when winds exceed 25 miles per hour. (Sites 1-5)</li> </ul>			During all construction phases	Developer	

Conditions of Approval / Mitigation Measures		Timing	Responsible Party	Date Completed
<b>Mitigation Measures</b>				
AQ-1	Prior to commencement of construction activities, project applicants shall identify to the City a construction relations officer to act as a community liaison concerning on-site activity, including resolution of issues related to dust generation from grading/paving activities. (Sites 1-5)	Prior to commencement of construction activities	Developer	
AQ-2	Prior to issuance of building permits, the project applicant shall ensure that the plans minimize ROG emissions. Building permits for the project shall specify and require the use of pre-coated building materials, use of all high pressure-low volume (HPLV) paint applicators with 50% efficiency, and use of lower volatility paint not exceeding 100 grams of ROG per liter. (Sites 1-5)	Prior to issuance of building permits	Developer	
AQ-3	During construction and grading activities, the project applicant shall comply with measures set forth in the Storm Water Pollution Prevention Plan (SWPPP) to ensure that airborne dust is kept to a minimum. (Sites 1-5)	During all construction phases	Developer	
<b>Aviation</b>				
<b>Conditions of Approval</b>				
	<ul style="list-style-type: none"> <li>Prior to final master plan approval, the applicant will submit to the City of Costa Mesa, a Federal Aviation Agency (FAA) determination of no hazard to air navigation or a similar finding in an independent study by a qualified private consultant that has been certified by the FAA. If the FAA or the aviation consultant requires conditions for the finding of no hazard to air navigation, such as installation of roof-top obstruction lighting, said conditions shall be placed as conditions of approval on the final master plan. (Sites 1-5)</li> <li>In the event a proposed high-rise building is determined to be a hazard to air navigation by the Federal Aviation Agency (FAA) or in an independent study by a qualified private consultant that has been certified by the FAA, the building design shall be appropriately modified prior to issuance of building permits so that a determination of no hazard to air navigation can be obtained. (Sites 1-5)</li> </ul>	Prior to final Master Plan approval	Developer	
		Prior to issuance of building permits	Developer	
<b>Mitigation Measures</b>				
No mitigation measures are required.				
<b>Geology and Soils</b>				
<b>Conditions of Approval</b>				
	Where studies indicate that buildings may be subject to substantial damage during earthquakes, the structure shall be designed and/or retrofitted for seismic resistance in compliance with all relevant recommendations for seismic design and seismic safety in the most recent editions of the Uniform Building Code and the California Building Code. (Sites 1-5)	During building plan preparation	Developer	
<b>Mitigation Measures</b>				
G-1	Prior to the issuance of a grading permit, the project developers shall prepare a site specific final geotechnical investigation, including an evaluation, analysis, and mitigation recommendations for the issues identified in the NMG Geotechnical Investigation Report, including appropriate dust control measures and waterproof building designs with hydrostatic pressure resistive properties and a site specific probabilistic seismic hazard analysis for ground motion. All recommendations shall be incorporated into the final grading plan for the project. (Sites 1-5)	Prior to issuance of grading permit	Developer	
G-2	During grading operations, special handling of on-site soils shall be required due to high moisture content of the soils. The City of Costa Mesa shall monitor the grading contractor to ensure stabilization of the soils during grading and excavation activities, as recommended by the NMG geotechnical investigation. (Sites 1-5)	During grading operations	Developer	

Conditions of Approval / Mitigation Measures				Timing	Responsible Party	Date Completed
G-3	Prior to the issuance of building permits, the project developers shall ensure that pile foundations or other appropriate design be incorporated into the project design to mitigate potential settlement hazards and liquefaction beneath the proposed structures. (Sites 1-5)			Prior to issuance of building permits	Developer	
G-4	Prior to the issuance of building permits, the project developers shall submit a project design to ensure that any proposed subterranean portion of the structures are waterproofed and designed and installed to resist hydrostatic pressures associated with the shallow groundwater table in the area. (Sites 1-5)			Prior to issuance of building permits	Developer	
G-5	Prior to the initiation of project grading, the project developers shall ensure that all existing utilities will be relocated, abandoned and removed, rerouted, or protected in coordination with the project developer and affected utility companies. (Sites 1-5)			Prior to grading	Developer	
G-6	Prior to the issuance of grading permits, the project developers shall ensure that provisions set forth in the Final Geotechnical Investigation Report regarding dust control measures during site preparation, grading, and construction are incorporated into the final construction specifications for the project site. (Sites 1-5)			Prior to issuance of grading permits	Developer	
<b>Hazards and Hazardous Materials</b>						
<b>Conditions of Approval</b>						
No standard conditions of approval were identified.						
<b>Mitigation Measures</b>						
HH-1	Prior to the approval of the Master Plan, the project proponents for all development sites shall prepare and submit a Phase I ESA to the City of Costa Mesa for review. The Phase I ESA shall determine the historical and current presence of hazardous materials on the site and identify the mechanism and/or remediation for any site contamination. (Sites 1, 2, 4)			Prior to Master Plan approval	Developer	
HH-2	Prior to the issuance of demolition/grading permits, the project proponents shall fully comply with the recommendations of the Phase I report and shall consult and comply with the California Department of Toxic Substances Control (DTSC) guidelines for oversight. (Sites 1-5)			Prior to issuance of demolition/grading permits	Developer	
HH-3	Prior to the issuance of building permits for any site requiring remediation of soils or groundwater, as specified by the Phase I ESA, or DTSC as a contaminated site, the developer shall submit a "letter of case closure" from the Orange County Health Care Agency and/or the California Department of Toxic Substances Control (DTSC) planning division indicating that the project developer completed remediation requirements for that site. (Sites 1-5)			Prior to issuance of building permits	Developer	
HH-4	Prior to the issuance of demolition permits, the project proponent shall ensure that any buildings built before 1981 are sampled as a part of an asbestos survey in compliance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP). If asbestos is found in the building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials shall be performed by a licensed asbestos abatement contractor under the supervision of a certified asbestos consultant. Asbestos shall be removed and disposed of in compliance with applicable state laws. (Sites 1 and 5)			Prior to issuance of demolition permits	Developer	
HH-5	Prior to the issuance of demolition permits, the project proponent shall prepare a demolition plan to include provisions that during demolition of any building, if paint is separated from the building material, the paint waste will be evaluated independently from the building material by a qualified hazardous material inspector to determine its proper management. To the extent possible, demolition materials will be recycled on-site. The balance will be transported to a location identified in the demolition plan. This demolition plan shall be submitted to the City of Costa Mesa for approval. (Sites 1, 3, 4, 5)			Prior to issuance of demolition permits	Developer	

Conditions of Approval / Mitigation Measures				Timing	Responsible Party	Date Completed
<b>Hydrology and Water Quality</b>						
<b>Conditions of Approval</b>						
No standard conditions of approval were identified.						
<b>Mitigation Measures</b>						
WQ-1	Prior to the issuance of any grading permits for projects that will result in soil disturbance of one or more acres of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Storm Water Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request. (Sites 1-5)			Prior to issuance of grading permits	Developer	
WQ-2	Prior to the issuance of any grading permits, the applicant shall submit to the City for review and approval a Water Quality Management Plan that (Sites 1-5): <ul style="list-style-type: none"> <li>addresses site design BMPs such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas,</li> <li>incorporates the applicable Routine Source Control BMPs as defined in the DAMP,</li> <li>incorporates Treatment Control BMPs as defined in the DAMP,</li> <li>generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs,</li> <li>identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs, and</li> <li>describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.</li> </ul>			Prior to issuance of grading permits	Developer	
WQ-3	Prior to issuance of building permits, the project developers shall provide proof of an NPDES permit from the RWQCB, consistent with Order No. R8-2004-0021 and NPDES No. CAG998002, to the City of Costa Mesa for dewatering activities. (Sites 1-5)			Prior to issuance of building permits	Developer	
WQ-4	Prior to the issuance of building permits, the project developers shall verify that structural BMPs have been permanently incorporated into the project plans. Such BMPs shall ensure that pollutants from project-related storm water runoff are mitigated consistent with applicable state and local standards. (Sites 1-5)			Prior to issuance of building permits	Developer	
WQ-5	Prior to the issuance of grading permits, the project developers shall pay drainage impact fees to the City of Costa Mesa. Drainage impact fees are to be adopted in August 2006 and are currently estimated at \$12,000 per acre. The project developer shall be responsible for the drainage impact fees that are in place at the time grading permits are issued. (Sites 1-5)			Prior to issuance of grading permits	Developer	



Conditions of Approval / Mitigation Measures		Timing	Responsible Party	Date Completed
<b>Land Use</b>				
<b>Conditions of Approval</b>				
<ul style="list-style-type: none"> <li>Prior to site plan approval, project applicants shall submit to the City of Costa Mesa for review and approval of project plans that comply with the Development Standards as set forth in the North Costa Mesa Specific Plan and Zoning Code. In addition, the developments will be subject to all standard conditions of approval imposed by the City of Costa Mesa. (Sites 1-5)</li> </ul>		Prior to site plan approval by City	Developer	
<ul style="list-style-type: none"> <li>Preliminary/Final Master Plan approval is contingent upon City Council's final approval of the General Plan Amendment GP-06-02, North Costa Mesa Specific Plan Amendment SP-06-02, and Zoning Code Amendment CO-06-05. Master Plan approval shall not become effective until all these other discretionary approvals are final and become effective.</li> </ul>		Prior to site plan approval by City	Developer	
<b>Mitigation Measures</b> No mitigation measures are required.				
<b>Noise</b>				
<b>Conditions of Approval</b>				
<ul style="list-style-type: none"> <li>Excluding Site 2--the Orange County Museum of Art, Contractor shall ensure that construction activities comply with the City's Noise Ordinance. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work. (Sites 1, 3, 4, 5)</li> </ul>		During all construction phases	Developer	
<ul style="list-style-type: none"> <li>For Site 2--the Orange County Museum of Art, the restrictive hours for construction activities as similarly monitored during the construction of the Segerstrom Symphony Hall would be applicable. For Site 2, all construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work. (Site 2)</li> </ul>		During all construction phases	Developer	
<ul style="list-style-type: none"> <li>Prior to issuance of building permits, applicant shall ensure that plans reflect sound rated windows and doors in the design of the proposed residential buildings and at the proposed museum. The window and door ratings should be sufficient to reduce the interior noise level to a CNEL of 45 dB or less, and should be determined by a qualified acoustical consultant as part of the final engineering design of the project. (Sites 1-5)</li> </ul>		Prior to issuance of building permits	Developer	
<ul style="list-style-type: none"> <li>Prior to issuance of building permits, applicant shall ensure that plans reflect mechanical ventilation at all of the proposed residential buildings since the interior CNEL standard of 45 dB is to be met with all doors and windows closed. Mechanical ventilation systems that include adequate recirculation of indoor air with the doors and windows closed would be considered acceptable. (Sites 1-5)</li> </ul>		Prior to issuance of building permits	Developer	
<b>Mitigation Measures</b> N-1 Prior to issuance of building permits, applicants shall have prepared by an acoustical engineer, a study of potential vibration impacts due to any pile-driving necessary during construction. Applicant shall adhere to all mitigation measures identified in said study. (Sites 1-5)				
<b>Population, Employment, and Housing</b>				
<b>Conditions of Approval</b> No standard conditions of approval were identified.				
<b>Mitigation Measures</b> No mitigation measures are required.				

Conditions of Approval / Mitigation Measures		Timing	Responsible Party	Date Completed
<b>Public Services</b>				
<b>Conditions of Approval</b>				
• Prior to the issuance of building permits, the project developer shall submit project designs and specifications for review and approval by the Costa Mesa Fire Department with respect to compliance with all standard conditions for building design regarding public safety, including but not limited to, fire flow capacity, fire hydrant location, vehicular access, and sprinkler systems. (Sites 1-5)		Prior to issuance of building permits	Developer	
• Emergency vehicle parking areas shall be designated within proximity to buildings to the satisfaction of the Fire Marshal. (Sites 1-5)		Prior to issuance of building permits	Developer	
• Each project development shall provide sufficient capacity for fire flows required by the Costa Mesa Fire Department. (Sites 1-5)		Prior to issuance of building permits	Developer	
• Vehicular access shall be provided and maintained as serviceable, throughout construction, to all required fire hydrants. (Sites 1-5)		Prior to issuance of building permits	Developer	
• All high-rise and multi-family project developments shall be equipped with an automatic fire sprinkler system. (Sites 1-5)		Prior to issuance of building permits	Developer	
• The Developer shall comply with standard building and fire regulations for high-rise buildings to the satisfaction of the Fire Marshal and Building Official. (Sites 1-5)		Prior to issuance of building permits	Developer	
• The Developer shall comply with the Public Safety Radio System Coverage Ordinance (included in the standard building and fire regulations for high-rise buildings) to the satisfaction of the Police Chief. (Sites 1-5)		Prior to issuance of building permits	Developer	
• Prior to the issuance of building permits, the project developer shall submit project designs and specifications for review and receive approval by the Costa Mesa Police Department with respect to compliance with all standard conditions for building design regarding public safety, including but not limited to, lighting, address numbers, building standards, landscaping, and emergency vehicle parking. (Sites 1-5)		Prior to issuance of building permits	Developer	
• Required building address numbers shall be readily apparent from the street, and rooftop building identification shall be readily apparent from police helicopters for emergency response agencies. (Sites 1-5)		Prior to issuance of certificate of occupancy	Developer	
• The project developer shall pay school impact fees, which are currently calculated at a rate of \$1.84 per square foot for residential development and \$0.30 per square foot of commercial development. (Sites 1-5)		Prior to issuance of building permits	Developer	
• The project developer shall pay park impact fees, pursuant to the rate in effect at the time the subdivision map is filed with the City. (Sites 1-5)		Prior to issuance of building permits	Developer	
<b>Mitigation Measures</b>				
PS-1 Prior to the issuance of building permits, the project developer shall pay its pro rata share of a new, fully equipped paramedic engine, equal to \$469.35 per unit to the Costa Mesa Fire Department. (Sites 1-5)		Prior to issuance of building permits	Developer	
PS-2 Prior to the issuance of a grading permit, a construction security service shall be established at the construction site. Initially, the service shall ensure that no unauthorized entry is made into the construction area. For the duration of each phase of construction, the project applicant shall provide sufficient on-site security personnel on a 24-hour, seven days a week basis to patrol all areas of construction and prohibit unauthorized entry. (Sites 1-5)		Prior to issuance of grading permit	Developer	
PS-3 During project construction and operation, the project applicant shall ensure that private on-site security is provided. (Sites 1-5)		During project construction	Developer	

Conditions of Approval / Mitigation Measures		Timing	Responsible Party	Date Completed
PS-4	Prior to issuance of building permits, the project developer shall pay pro rata shares of fees to the Costa Mesa Police Department for the increased service capacity necessary to accommodate the development site, if such a police impact fee program is established by the City of Costa Mesa by December 31, 2008. (Sites 1-5)	Prior to issuance of building permits	Developer	
<b>Transportation and Circulation</b>				
<b>Conditions of Approval</b>				
	The project applicants shall be responsible for the payment of fees in accordance with Costa Mesa's traffic impact fee program to mitigate project-generated traffic impacts (including regional traffic) (Sites 1-5).	Prior to issuance of building permits	Developer	
	The project applicants shall be responsible for the payment of fees in accordance with the San Joaquin Hills Transportation Corridor Fee Ordinance. Fees shall be paid to the Costa Mesa Planning Division prior to the issuance of building permits. (Site 1-5)	Prior to issuance of building permits	Developer	
	The project applicants shall be responsible to comply with the City of Costa Mesa Transportation Demand Ordinance (Site 1)	Prior to issuance of building permits	Developer	
<b>Mitigation Measures</b>				
T-1	As subsequent phases of the SCTC project are submitted to the City of Costa Mesa, the performance of the project traffic study area intersections shall be monitored against the City's Annual Development Phasing and Performance Monitoring Report to determine when future improvements area required. (Sites 1, 2 and 5)	Upon completion of each development (Sites 1-5)	City	
T-2	The project applicants shall be required to fund all costs associated with implementation of intersection improvements to the following intersections in the City of Costa Mesa: Park Center & Sunflower and Bristol & Paulirino. The specific improvements are shown in Table 35 as Locations 11 and 26. (Sites 1, 2 and 5)	Prior to issuance of building permits	Developer	
T-3	The project applicants shall fund a share of the costs of the planned improvements at the following intersections in the City of Santa Ana: Bristol & Segerstrom/Dyer; Bristol & MacArthur; Flower & MacArthur; SR-55 NB ramps & MacArthur, and Main & Sunflower. The specific improvements are shown in Table 35 as Locations 1, 3, 4 and 15. (Sites 1, 2 and 5)	Prior to issuance of building permits	Developer	
T-4	During the Final Master Plan process, the developer shall be required to comply with residential parking standards of 1.5 to 2.0 spaces per unit for tenants, 0.5 spaces per unit for guests for the first 50 units and 0.25 spaces per unit thereafter, or to prepare a parking analysis that demonstrates the adequacy of proposed parking for City review and approval. Parking for commercial uses shall be determined in accordance with the City's Municipal Code. Ancillary commercial uses considered as walk-up retail will also be identified during the Final Master Plan process. (Sites 1-5)	Prior to final Master Plan approval	Developer	
<b>Utilities and Service Systems</b>				
<b>Conditions of Approval</b>				
	Prior to the issuance of demolition/grading permits, the project developer shall demonstrate to the City of Costa Mesa that all construction waste generated on-site would be recycled where feasible as the first choice of disposal method, leaving the option of landfill disposal as a last alternative. The proposed commercial uses shall incorporate facilities for collection and pick-up of recyclable materials into the design of the project. (Sites 1-5)	Prior to issuance of demolition/grading permits	Developer	
	Prior to the issuance of demolition/grading permits, the project developer shall coordinate with Mesa Consolidated Water District to determine the exact location of existing underground water supply facilities and submit an action plan to prevent damage to facilities left on the project site or interfere with their operation. The project developer shall pay their fair share amount for the necessary facilities to accommodate project-related water supplies. These capacity charges are evaluated on a case-by-case basis depending on the meter size. The fee evaluation may be adjusted accordingly based on peak flow tests performed once meters are installed. (Sites 1-5)	Prior to issuance of demolition/grading permits	Developer	

Conditions of Approval / Mitigation Measures		Timing	Responsible Party	Date Completed
<ul style="list-style-type: none"> <li>Prior to the issuance of demolition/grading permits, the project developer shall submit grading plans to the City that reflect the undergrounding of utilities serving the proposed project site. (Sites 1-5)</li> </ul>		Prior to issuance of demolition/grading permits	Developer	
<ul style="list-style-type: none"> <li>Prior to the issuance of demolition/grading permits, the project developer shall coordinate with Southern California Edison to determine the exact location of all underground and overhead electrical facilities. All electrical facilities and associated structures to be left on project site shall be protected from damage by the project developer. (Sites 1-5)</li> </ul>		Prior to issuance of demolition/grading permits	Developer	
<ul style="list-style-type: none"> <li>Prior to the issuance of demolition/grading permits, the project developer shall coordinate with Southern California Gas Company to determine exact locations of all underground natural gas facilities. All gas pipelines and associated structures to be left on the project site shall be protected from damage by the project developer. (Sites 1-5)</li> </ul>		Prior to issuance of demolition/grading permits	Developer	
<ul style="list-style-type: none"> <li>Prior to the issuance of demolition/grading permits, the project developer shall coordinate with Comcast Cable to determine exact locations of all underground cable facilities. All cable lines and associated structures to be left on the project site shall be protected from damage by the project developer. (Sites 1-5)</li> </ul>		Prior to issuance of demolition/grading permits	Developer	
<ul style="list-style-type: none"> <li>Prior to the issuance of demolition/grading permits, the project developer shall coordinate with AT&amp;T California to determine exact locations of all underground telephone facilities. All telephone lines and associated structures to be left on the project site shall be protected from damage by the project developer. (Sites 1-5)</li> </ul>		Prior to issuance of demolition/grading permits	Developer	
<ul style="list-style-type: none"> <li>Prior to issuance of demolition/grading permits, the project developer shall prepare a haul route plan for removal of construction debris and a construction soil reduction plan to reduce the amount of excavated soil waste. (Sites 1-5)</li> </ul>		Prior to issuance of demolition/grading permits	Developer	
<b>Mitigation Measures</b> U-1 Prior to the issuance of grading permits for Site 1 – Segerstrom Town Center, the project developer will determine and prepare plans for OCSD and CMSD's approval, for one of the following options to redirect wastewater flows to a northerly direction from Site 1: <ul style="list-style-type: none"> <li>Option 1 – Plug the southerly connection in the manhole in the 12-inch line in Park Center Drive. The existing 12-inch line will be slip lined with an 8-inch line to direct wastewater into the existing 84-inch diameter manhole.</li> <li>Option 2 – Construct a new manhole south of the existing 15-inch stub. Plug existing southerly connection in Park Center Drive to direct wastewater flows into the Sunflower Interceptor.</li> <li>Option 3 – Construct a new manhole south of the existing 84-inch manhole and a new 8-inch sewer line in Sunflower Avenue. Abandon the existing 8-inch sewer line</li> </ul>		Prior to issuance of grading permits	Developer	